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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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HEWLETT-PACKARD COMPANY  
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EXAMINER

LETT, THOMAS J

ART UNIT PAPER NUMBER

2626

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/032,681

Applicant(s)

SIMPSON ET AL.

Examiner

Thomas J. Lett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6,9-14 and 16-24 is/are rejected.
- 7) ☐ Claim(s) 7,8,15 and 25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 October 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7 Mar 2002</u> . | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

1. Claim 9 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 9 recites the limitation " the hyperlink" in p.14, line 4. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-6, 10-14, and 16-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Ideharra (USPGPub 20010052995 A1).

With respect to claim 1, Ideharra discloses in a computer, a method of printing a document, comprising:

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(a) initiating the printing of the document by a first printer (using print key 435, see Fig. 34);

(b) detecting that the first printer has encountered an event (the outcome indicates that the printer unit 417 is not capable of outputting data or the outcome of the judgment formed at the step S606 indicates that an error has been detected in the printer unit 417, para. 0194); and

(c) automatically displaying a selectable link referring to a network resource that enables the computer to print at least a portion of the document using a second printer (The flow of processing then goes on to a step S608 at which all the output apparatuses found in the search operation are searched for one located in closest proximity to the B digital copying machine 42 itself and an icon representing the closest output apparatus is put in an inverted display state to indicate that the apparatus is selected. At this point, the screen displays a dialog box shown in FIG. 40, para. 0194).

With respect to claim 2, Ideharra discloses the method of claim 1, wherein step (c) is automatically performed in response to step (b) (The flow of processing then goes on to a step S608 at which an icon for the apparatus in closest proximity to the B digital copying machine 42 itself is displayed, para. 0194).

With respect to claim 3, Ideharra discloses the method of claim 2, wherein the event occurs while the first printer is printing the document (the outcome indicates that the printer unit 417 is not capable of outputting data or the outcome

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of the judgment formed at the step S606 indicates that an error has been detected in the printer unit 417, para. 0194).

With respect to claim 4, Ideharra discloses the method of claim 3, wherein the event is an error condition that results in the first printer not printing a portion of the document (FIG. 43 is a diagram illustrating a printer selecting dialog box displayed as a screen on the liquid crystal display unit 431 of the operation panel 43 employed in the B digital copying machine 42 of the eighth embodiment in the event of a failure occurring in the course of a copy operation such as a paper jam or a run-out state of paper, making it no longer possible to output data, para. 0196).

With respect to claim 5, Ideharra discloses the method of claim 4, wherein the resource enables the computer to print only the portion of the document that was not printed by the first printer (Ideharra discloses that the rest of a print job can be transferred to another output apparatus for the remainder of the print job when the user sets a condition in case of an error, para. 0207).

With respect to claim 6, Ideharra discloses the method of claim 4, wherein the resource enables the computer to provide a user an option to print the entire document or only the portion of the document that was not printed (Ideharra discloses that the rest of a print job can be transferred to another output apparatus for the remainder of the print job when the user sets a condition in case of an error, para. 0207).

With respect to claim 10, Ideharra discloses a server (external output apparatus selecting program of Fig. 35 of an output apparatus; Examiner notes

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that a server is defined as a computer in a network that is used to provide services (as access to files or shared peripherals or the routing of e-mail) to other computers in the network), comprising:

(a) means (RAM unit 412) for receiving a request from a computer (A SPOOL program temporarily accumulates data output by a printer driver to be printed on one of the printers 21 to 23 connected to the LAN in the hard disc unit 114 employed in the A personal computer 11, para. 0014);

(b) means (RAM unit 412) for responding to the request by transmitting a first program of computer readable instructions to the computer, the first program for enabling the computer to:

(i) initiate the printing of a document by a first printer (the data is transmitted to the printer in accordance with scheduling, para. 0014);

(ii) monitor the first printer to detect if the first printer encounters an event while printing the document (the outcome indicates that the printer unit 417 is not capable of outputting data or the outcome of the judgment formed at the step S606 indicates that an error has been detected in the printer unit 417, para. 0194); and

(iii) if the event is detected, display a selectable link referring to a second program of instructions that enables the computer to use an alternate printer to print at least a portion of the document (The flow of processing then goes on to a step S608 at which all the output apparatuses found in the search operation are searched for one located in closest proximity to the B digital copying machine 42 itself and an icon representing the closest output apparatus is put in an inverted

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display state to indicate that the apparatus is selected. At this point, the screen displays a dialog box shown in FIG. 40, para. 0194).

With respect to claim 11, Ideharra discloses a server of claim 10, wherein the first printer includes the server (RAM unit 412).

With respect to claim 12, Ideharra discloses a server of claim 10, wherein the document is pre-selected by a user of the computer (Examiner notes that the user or operator is faxing, copying or printing data using any of the computers in the network).

With respect to claim 13, Ideharra discloses a server of claim 12, wherein the event is an error condition that results in the first printer not printing a portion of the document and the second program of instructions enables the computer to print only the document portion not printed by the first printer (Ideharra discloses that the rest of a print job can be transferred to another output apparatus for the remainder of the print job when the user sets a condition (using set instructions) in case of an error, para. 0207).

With respect to claim 14, Ideharra discloses a server of claim 12, wherein the event is an error condition that results in the first printer not printing a portion of the document and the second program enables the computer to provide a user with an option to print the entire document using the alternate printer or to print only the portion of the document that was not printed by the first printer (Ideharra discloses that the rest of a print job can be transferred to another output apparatus for the remainder of the print job when the user sets a condition (using set instructions) in case of an error, para. 0207).

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With respect to claim 16, Ideharra discloses a server system of claim 10, wherein the second program enables the computer to print the entire document using the alternate printer (when an effort is being made to eliminate a detected failure, data to be printed data can be redirected to a replacement output apparatus, para. 0198).

With respect to claim 17, Ideharra discloses a server of claim 10, wherein the event is an error condition that results in the first printer not printing a portion of the document and the first program further enables the computer to:

(iv) respond to the event being detected by generating at least one parameter that indicates the boundary between the portion of the document that was printed and the portion that was not (Ideharra discloses that the rest of a print job can be transferred to another output apparatus for the remainder of the print job when the user sets a condition in case of an error, para. 0207).; and

(v) configure the link so that the when the link is selected the computer operates to transmit the following to a second server (Ideharra discloses that the A digital copying machine 41 in conjunction with the B digital copying machine 42 which is selected as a supplementary output apparatus are capable of separating a print job based on user or machine settings to configure an output device (a link), para. 0207):

a request for the second program of instructions (transfer data to a second apparatus with a sort setting) and the at least one parameter.



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With respect to claim 18, Ideharra discloses a computer readable medium embodying a program of instructions for causing a computer to perform method steps, the method steps comprising (using RAM unit 412):

(a) detecting that a first printer has encountered an event while the first printer is processing a print job describing a document (the outcome indicates that the printer unit 417 is not capable of outputting data or the outcome of the judgment formed at the step S606 indicates that an error has been detected in the printer unit 417, para. 0194); and

(b) in response to detecting the event, displaying a selectable link referring to a network resource that enables the computer to initiate printing at least a portion of the document using a second printer (processing then goes on to a step S608 at which all the output apparatuses found in the search operation are searched for one located in closest proximity to the B digital copying machine 42 itself and an icon representing the closest output apparatus is put in an inverted display state to indicate that the apparatus is selected. At this point, the screen displays a dialog box shown in FIG. 40, para. 0194).

With respect to claim 19, Ideharra discloses a computer readable medium of claim 18, wherein the event is an error condition that results in the first printer not successfully printing the print job (FIG. 43 is a diagram illustrating a printer selecting dialog box displayed as a screen on the liquid crystal display unit 431 of the operation panel 43 employed in the B digital copying machine 42 in the event of a failure occurring in the course of a copy operation such as a paper jam or a run-out state of paper, making it no longer possible to output data, para. 0196).

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With respect to claim 20, Ideharra discloses a printing device (copier 42B), comprising:

apparatus to respond to a pre-defined request received over a network from a computer (copier 41A) by transmitting a first program of computer readable instructions to the computer, the first program for enabling the computer to:

(a) initiate the printing of a document by using the printing device ((using print key 435, see Fig. 34);

(b) detect if the first printing device encounters an event while printing the document (the sort copying job can not be carried out by the A digital copying machine 41 alone, para. 0207); and

(c) if the event is detected (machine A cannot finish job), display a selectable link referring to a second program of instructions that enables the computer to use an alternate printer to print at least a portion of the document (when this is detected, the A digital copying machine 41 in conjunction with the B digital copying machine 42 which is selected as a supplementary output apparatus are capable of accomplishing the sort copying job of 20 copies, para. 0207).

With respect to claim 21, Ideharra discloses a printing device of claim 20, further comprising:

apparatus for printing the document (printer unit 417, see Fig. 33).

With respect to claim 22, Ideharra discloses a printing system, comprising:

(a) a client (A digital copying machine 41); and

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(b) a server (RAM unit 412, see Fig. 33) operable to receive a pre-defined request from the client and to respond thereto by serving a first program of instructions to the client; and

wherein the first program of instructions enables the client to:

initiate printing of the document by a first printer ((using print key 435, see Fig. 34);

detect if the first printer encounters an event while printing the document (the outcome indicates that the printer unit 417 is not capable of outputting data or the outcome of the judgment formed at the step S606 indicates that an error has been detected in the printer unit 417, para. 0194);

automatically display a selectable link referring to a second program of instructions that enables the client to use an alternate printer to print at least a portion of the document (processing goes on to a step S608 at which all the output apparatuses found in the search operation are searched for one located in closest proximity to the B digital copying machine 42 itself and an icon representing the closest output apparatus is put in an inverted display state to indicate that the apparatus is selected. At this point, the screen displays a dialog box shown in FIG. 40, para. 0194).

With respect to claim 23, Ideharra discloses a system of claim 22, wherein the printer is the server (RAM unit 412, see Fig. 33 is a part of printing apparatus 41A).

With respect to claim 24, Ideharra discloses a system of claim 22, wherein the event is of a type that prevents the first printer from successfully printing the

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document (FIG. 43 is a diagram illustrating a printer selecting dialog box displayed as a screen on the liquid crystal display unit 431 of the operation panel 43 employed in the B digital copying machine 42 of the eighth embodiment in the event of a failure occurring in the course of a copy operation such as a paper jam or a run-out state of paper, making it no longer possible to output data, para. 0196).

### ***Allowable Subject Matter***

3. Claims 7, 8, 9, 15, and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
4. Claim 9 would be allowable if rewritten to overcome the rejection under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Teng et al (USPN 6,327,045 B1) disclose a network which allows print jobs to be routed based on URL addresses.

Han (EP 996055 A2) discloses a system for selecting available printers in the event of printer errors.

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Yacoub (USPN 6,452,692 B1) discloses a system for selecting available printers in the event of printer errors.

Webb et al (USPN 5,727,135) disclose a system for selecting available printers with a display of printer status.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Lett whose telephone number is 571-272-7464. The examiner can normally be reached on 7-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A. Williams can be reached on 571-272-7471. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TJL

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